



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

License for Diversion and Use of Water

LICENSE 2746

PERMIT 5478

APPLICATION 9764

THIS IS TO CERTIFY, That **Mary Jane Lund and J. W. M. Lund**, both of **Stockton, California**

Notice of Assignment (Over)

have made proof as of **May 14, 1943**,  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of

**Middle River in San Joaquin County**  
tributary to **San Joaquin River**

for the purpose of **irrigation use**  
under Permit **5478** of the Department of Public Works and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Department of Public Works and the terms of the said permit; that the priority of the right herein confirmed dates from **November 8, 1939**;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **two and five tenths (2.5)** cubic feet per second from about **February 1** to about **December 1** of each season.

In case of rotation the equivalent of such continuance flow allocane for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.

This license is based on the use of water made during the year 1943 which was the year of maximum use within the three year period immediately preceding the date of inspection; namely, **May 14, 1943**.

The point of diversion of such water is located **North thirty-four degrees, no minutes East (N 34°00'E) ninety-nine (99) feet from the center of the NW concrete abutment of Mowry Bridge over Middle River, being within SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of projected Section 23, T 1 S, R 5 E, M.D.B.&M.**

A description of the lands or the place where such water is put to beneficial use is as follows: **Irrigation of 197 acres as follows:**

NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL	M.D.B.&M.		
ACRES				ACRES				ACRES				ACRES				ACRES	ACRES		
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		SEC	Twn	RGE
9	40	40	9	4			6	11			1	9	40	15	5	189	15	"	"

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Engineer.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.



Witness my hand and the seal of the Department of Public  
Works of the State of California, this 18th  
day of December, 1944

EDWARD HYATT, State Engineer

By Harold Conkling  
Deputy State Engineer

11-30-61 Name chgd. from Mary Jane Lund  
to Estate of Mary Jane Lund

11-30-61 RECEIVED NOTICE OF ASSIGNMENT TO of Int. of Estate of Mary  
Jane Lund to J. W. M. Lund  
11-30-61 Name chgd. from J. W. M. Lund to Estate  
of J. W. M. Lund  
11-30-61 Residual Int. of J. W. M. Lund, Life Tenant,  
reverts to Martin + John Lund

11-30-61 RECEIVED NOTICE OF ASSIGNMENT TO of Int. of Martin Lund  
to John Lund

~~10-29-61~~ RECEIVED NOTICE OF ASSIGNMENT TO of Estate of J. W. M. Lund  
Lund to John Lund.

Edna J. F. Haelzer, Augusta M.  
Rich, + Emma C. Veit

10-29-61 RECEIVED NOTICE OF ASSIGNMENT TO of Estate of J. W. M. Lund  
to Marie Forsberg, Edna J. F. Haelzer, Augusta M. Rich, + Emma C. Veit

LICENSE 2746

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Mary Jane Lund and  
J. W. M. Lund.

DATED December 18, 1944

37196 8-44 1M STATE PRINTING OFFICE

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L-2746

10-5-67 Name of Emmie Christine Forsberg Veit  
changed to Estate of Emmie Christine Forsberg Veit

Estate of  
of int. of Emmie Christine Forsberg Veit

11/12/68 RECEIVED NOTICE OF ASSIGNMENT TO Elba Johanna Forsberg Haefel

2-9-72 RECEIVED NOTICE OF ASSIGNMENT TO Bernard & Frederick - Dannele